

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

RETAIL GROUND AND PARCEL SELECT GROUND  
SERVICE STANDARD CHANGES, 2022

Docket No. N2022-1

**MOTION OF THE UNITED STATES POSTAL SERVICE FOR  
CONSIDERATION OF THE STIPULATION AND AGREEMENT AS THE  
BASIS FOR ADVISORY OPINION  
(April 14, 2022)**

The United States Postal Service hereby moves that the Commission consider basing further actions in this docket on the Stipulation and Agreement filed herewith, in accordance with 39 U.S.C. § 3010.320. As set forth in the Stipulation and Agreement, the Postal Service and the Public Representative have also stipulated and agreed to the evidentiary record in this proceeding.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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Chief Counsel, Global Business & Service  
Development

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April 14, 2022

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POSTAL REGULATORY COMMISSION  
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RETAIL GROUND AND PARCEL SELECT GROUND  
SERVICE STANDARD CHANGES, 2022

Docket No. N2022-1

**STIPULATION AND AGREEMENT  
(April 14, 2022)**

This Stipulation and Agreement is submitted pursuant to 39 C.F.R. 3010.320, by and between the United States Postal Service and the Public Representative. It is a negotiated settlement of certain issues raised between the undersigned participants in the above-captioned docket. The undersigned participants hereby stipulate and agree to the following.

**I. BACKGROUND**

On March 21, 2022, pursuant to 39 U.S.C. § 3661, the United States Postal Service filed with the Postal Regulatory Commission a request for an advisory opinion affirming that the proposal to align service standards for Retail Ground (RG) and Parcel Select Ground (PSG) competitive products within the contiguous United States with those for First-Class Package Service (FCPS) conform to the policies established under Title 39 of the United States Code. The request was designated as Docket No. N2022-1 by the Commission. The basis for the request is explained in the direct testimony of Postal Service witnesses Steven Jarboe (USPS-T-1), Kevin Bray (USPS-T-2), and Tom Bozzo (USPS-T-3).

## **II. TERMS AND CONDITIONS**

1. This Stipulation and Agreement represents a negotiated agreement regarding certain procedural and evidentiary matters by the undersigned participants in Docket No. N2022-1.

2. The undersigned participants agree, for purposes of this proceeding only, that the following materials provide substantial evidence supporting an advisory opinion on the planned changes to the service standards for RG and PSG, as described in Docket No. N2022-1: the direct testimony of Postal Service witnesses Jarboe (USPS-T-1), Bray (USPS-T-2), and Bozzo (USPS-T-3); the Library References submitted in support thereof, and any designated responses to the Presiding Officer's Information Requests.

3. The undersigned participants agree that neither a hearing nor oral argument or examination are necessary in determining whether the planned service standard changes for RG and PSG, as described in Docket No. N2022-1, are in accordance with the policies of Title 39 of the United States Code and in furtherance of the public interest.

4. The undersigned participants agree that they will file no further discovery requests or testimony with the Commission in this proceeding, unless requested by the Commission. The Postal Service will, concurrently with the submission of this Stipulation and Settlement, move for the admission into record evidence of the testimonies and supporting documentation described in paragraph 2. The Postal Service will also move for adoption of a revised procedural schedule, proposing the following core dates, thereby eliminating events no longer needed:

Deadline for Discovery Requests: 4/18

Deadline for Discovery Responses: 4/25

Notice of Designations: 4/26

Filing Designated Materials: 4/27

Initial Brief: 5/11

Statements of Position: 5/11

Reply Brief (if needed): 5/13

In addition, the participants acknowledge that either of them, or the Commission at its own initiative, may move for designation of responses of the Postal Service to Presiding Officer's Information Requests. The Public Representative further advises of its intention to forgo oral cross-examination at hearings to receive evidence from Postal Service witnesses, but reserves the right to conduct follow-up cross-examination if the oral hearings in Docket No. N2022-1 are still scheduled by the Commission. The participants reserve the right to submit initial or reply briefs if needed.

5. As fully stated above, the agreement of the undersigned participants is intended to relate exclusively to the specific changes reflected in Docket N2022-1 and is not intended to bind or prejudice those participants in any other proceeding. The understanding of the intended consequences of the agreement applies equally to all constituent parts of the agreement.

6. This Stipulation and Agreement represents the entire agreement of the signatories, and supersedes any understandings or representations not contained herein.

STIPULATED AND AGREED this 14<sup>th</sup> day of April, 2022, by and between:

UNITED STATES POSTAL SERVICE

**Anthony Alverno** Digitally signed by Anthony  
Alverno  
Date: 2022.04.14 12:51:01 -04'00'

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Anthony Alverno  
Chief Counsel, Global Business and Service Development

PUBLIC REPRESENTATIVE

**Joseph Press** Digitally signed by Joseph Press  
Date: 2022.04.14 12:59:56 -04'00'

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Joseph K. Press  
Public Representative for Docket No. 2022-1